



महाराष्ट्र शासन राजपत्र

असाधारण भाग पाच-अ

वर्ष १०, अंक १३(६)] सोमवार, डिसेंबर १६, २०२४/अग्रहायण २५, शके १९४६ [पृष्ठे ३, किंमत : रुपये ३६.००

असाधारण क्रमांक ३०

प्राधिकृत प्रकाशन

महाराष्ट्र विधानसभेत व महाराष्ट्र विधानपरिषदेत सादर केलेली विधेयके (इंग्रजी अनुवाद).

MAHARASHTRA LEGISLATURE SECRETARIAT

The following Bill was introduced in the Maharashtra Legislative Assembly on the १६th December, २०२४ is published under Rule ११७ of the Maharashtra Legislative Assembly Rules.

L. A. BILL No. XXVII OF 2024.

A BILL

further to amend the Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act.

WHEREAS both Houses of the State Legislature were not in session ;

AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act, for the purposes hereinafter appearing ; and, therefore, promulgated the Maharashtra Prevention of Fragmentation and Consolidation of Holdings (Amendment) Ordinance, 2024 on the 15th October 2024 ;

LXII of
1947.
Mah.
Ord.
XIV of
2024

भाग पाच-अ-३०-१.
एचबी-२११६-१.

AND WHEREAS it is expedient to replace the said Ordinance, by an Act of the State Legislature ; it is hereby enacted in the Seventy-fifth Year of the Republic of India as follows :—

Short title
and
commence-
ment.

1. (1) This Act may be called the Maharashtra Prevention of Fragmentation and Consolidation of Holdings (Amendment) Act, 2024.

(2) It shall be deemed to have come into force on the 15th October 2024.

Amendment
of section 9
of LXII of
1947.

2. In section 9 of the Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act (hereinafter referred to as “ the Principal Act”), in sub-section (3), in the first proviso,—

LXII of
1947.

(1) for the words, brackets and figures “Maharashtra Prevention of Fragmentation and Consolidation of Holdings (Amendment) Act, 2017” the words, brackets and figures “the Maharashtra Prevention of Fragmentation and Consolidation of Holdings (Amendment) Act, 2024” shall be substituted ;

Mah.
LVIII of
2017.
Mah.
..... of
2024.

(2) for the words and figures “at such per centum not exceeding 25 per cent. of the market value of such land as per the Annual Statement of Rates, as the Government may notify from time to time, in the *Official Gazette*” the words “of five per cent. of the market value of such land as per the Annual Statement of Rates” shall be substituted.

Repeal of
Mah. Ord.
XIV of 2024
and saving.

3. (1) The Maharashtra Prevention of Fragmentation and Consolidation of Holdings (Amendment) Ordinance, 2024, is hereby repealed.

Mah.
Ord. XIV
of 2024.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the principal Act, as amended by the said Ordinance, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of the principal Act, as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

Sub-section (3) of section 9 of the Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act (LXII of 1947) is amended by the Maharashtra Prevention of Fragmentation and Consolidation of Holdings (Amendment) Act, 2017 (Mah. LVIII of 2017) to regularise the transfer or partition of a land contrary to the provisions of the said Act, made during the period starting from 15th November 1965 till the date of the commencement of the said Amendment Act, by payment of regularization premium at such per cent. not exceeding 25 per cent. of the market value of such land as per the Annual Statement of Rates, as the Government may notify, from time to time, in the *Official Gazette*. Accordingly, the Government of Maharashtra has notified the regularization premium at 25 per cent. of the market value of land as per the Annual Statement of Rates. The purpose of the said amendment was that, the occupants of such fragments can start their permissible use and number of land parcels which are not in use can be brought back into productive use, thereby contributing to the growth of economy.

It was noticed that, there is less response of people to such regularization. The Government was of the view that, there may be a possibility that the less response to regularise such transfers were due to higher regularization premium.

2. A Committee headed by Shri Umakant Dangat was formed by the Government to study the important laws related to the revenue and to recommend the amendments thereto, if required. The said Committee recommended to reduce the said regularization premium to ten per cent. of market value of land.

In order to achieve the abovereferred purposes of the said amendment, it was considered expedient to allow the regularization of such transfers or partition of a land upto the date of commencement of this Act and to reduce the regularization premium and fix it in the Act itself at 5 per cent. of the market value of such land.

3. As both Houses of the State Legislature were not in session and the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action further to amend the Maharashtra Prevention of Fragmentation and Consolidation of Holdings Act, for the purposes aforesaid, Maharashtra Prevention of Fragmentation and Consolidation of Holdings (Amendment) Ordinance, 2024 (Mah. Ord. XIV of 2024), was promulgated by the Governor of Maharashtra on the 15th October 2024.

4. The Bill is intended to replace the said Ordinance by an Act of the State Legislature.

Nagpur,

Dated the 15th December, 2024.

DEVENDRA FADNAVIS,

Chief Minister

Vidhan Bhavan :

Nagpur,

Dated the 16th December, 2024.

JITENDRA BHOLE,

Secretary (1) (I/C),

Maharashtra Legislative Assembly.